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7590 05/11/2006	**EXAMINER**
William S. Frommer	HARRELL, ROBERT B
Frommer Lawrence & Haug LLP	

ART UNIT	PAPER NUMBER
2142	

745 Fifth Avenue
New York, NY 10151

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/700,409	SHAPIRO, JODY
	Examiner	Art Unit	
	Robert B. Harrell	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>1</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 November 2003 et al.</u>.

2a)☐ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-74</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) <u>1-74</u> are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☒ Other: *see attached Restriction*.

1. Claims 1-74 are present for consideration.

2. Since _a_ patent may only be granted on _an_ invention (each in the singular), restriction to one of the following inventions is required under 35 U.S.C. 121 (see 37 CFR 1.141):

Group I. Claims 1-4, drawn to a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof.
Classified in Class 709, subclass 220.

Group II. Claims 5-16, drawn to a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends.
Classified in Class 370, subclass 252

Group III. Claims 17-28, drawn to a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends.
Classified in Class 342, subclass 104.

Group IV. Claims 29-37 and 52-60, drawn to a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction.
Classified in Class 700, subclass 94.

Group V. Claims 38-50 and 61-73, drawn to a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction.
Classified in Class 715, subclass 735.

Group VI. Claim 51 and 74, drawn a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information.
Classified in Class 715, subclass 736.

3. Inventions I and II are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group I has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof not used in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends as claimed in Group II.

4. Inventions I and III are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group I has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof not used in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends as claimed in Group III.

5. Inventions I and IV are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group I has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration

information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction as claimed in Group IV.

6. Inventions I and V are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group I has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction as claimed in Group V.

7. Inventions I and VI are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group I has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof not used in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information as claimed in Group VI.

8. Inventions II and I are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group II has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at

which transfer begins and ends not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof as claimed in Group I.

9. Inventions II and III are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group II has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends not used in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends as claimed in Group III.

10. Inventions II and IV are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group II has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction as claimed in Group IV.

11. Inventions II and V are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group II has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second

computer configuration information regarding the user's computer, and receiving a modified information header instruction as claimed in Group V.

12. Inventions II and VI are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group II has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends not used in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information as claimed in Group VI.

13. Inventions III and I are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group III has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof as claimed in Group I.

14. Inventions III and II are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group III has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends not used in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends,

and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends as claimed in Group II.

15. Inventions III and IV are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group III has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction as claimed in Group IV.

16. Inventions III and V are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group III has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction as claimed in Group V.

17. Inventions III and VI are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group III has separate utility such as in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends not used in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information as claimed in Group VI.

18. Inventions IV and I are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group IV has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof as claimed in Group I.

19. Inventions IV and II are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group IV has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction not used in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends as claimed in Group II.

20. Inventions IV and III are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group IV has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction not used in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends as claimed in Group III.

21. Inventions IV and V are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group IV has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a

multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction as claimed in Group V.

22. Inventions IV and VI are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group IV has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction not used in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information as claimed in Group VI.

23. Inventions V and I are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group V has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof as claimed in Group I.

24. Inventions V and II are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group V has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction not used in a method or readable storage device for determining a connection speed of a computer, comprising

determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends as claimed in Group II.

25. Inventions V and III are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group V has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction not used in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends as claimed in Group III.

26. Inventions V and IV are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group V has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction as claimed in Group IV.

27. Inventions V and VI are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group V has separate utility such as in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction not used in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information as claimed in Group VI.

28. Inventions VI and I are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group VI has separate utility such as in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code the user's computer, and receiving configuration information regarding the user's computer, said configuration information comprising (1) OS version, (2) web browser version, (3) hardware platform, (4) user interface language type, (5) encoding format, or (6) compression algorithm, or (7) combinations thereof as claimed in Group I.

29. Inventions VI and II are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group VI has separate utility such as in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information not used in a method or readable storage device for determining a connection speed of a computer, comprising determining a size of a timing block based on an estimated bandwidth, marking the time at which transfer of the timing block begins, marking the time at which transfer of the timing block ends, and determining the connection speed based on the determined timing block size and the times at which transfer begins and ends as claimed in Group II.

30. Inventions VI and III are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group VI has separate utility such as in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information not used in a method or readable storage device for determining a connection speed of a computer, comprising receiving a timing block of data having a known size, receiving a start time at which transfer of the timing block is to begin, beginning the timing block transfer at the start time, marking the

time at which transfer of the timing block ends, and determining the connection speed based on the timing block size and the times at which transfer begins and ends as claimed in Group III.

31. Inventions VI and IV are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group VI has separate utility such as in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising sending player detection code to the user's computer, receiving configuration information regarding the user's computer, and, sending a modified information header instruction as claimed in Group IV.

32. Inventions VI and V are related as subcombinations disclosed as useable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately useable. In this instant case, invention of Group VI has separate utility such as in a method or readable storage devices having processor readable code embodied thereon, said processor readable code for programming one or more processors to perform a method for remotely determining the configuration of a computer of a multimedia content user, the method comprising, sending player detection code to the user's computer, and receiving configuration information regarding the user's computer, and determining a type of digital rights management information on the user's computer based on the received configuration information not used in a method or readable storage device for remotely determining the configuration of a computer of a multimedia content user, comprising, receiving at a user's computer player detection code from a second computer, sending to the second computer configuration information regarding the user's computer, and receiving a modified information header instruction as claimed in Group V.

33. An undue burden would be placed upon examiner since the search each Group would be in classes and subclasses not required for the other Groups.

34. Because these inventions are independently distinct from each other for the reasons given above and because they have acquired a separate status in the art as shown by their different classification and their recognized divergent subject matter and the search for each Group is not required for the other Group, restriction for examination purposes as indicated is proper.

35. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

36. The applicant is also advised that the response must be submitted to the Office *within ONE [1] Month* or 30 days, whichever is longest.

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Harrell whose telephone number is (571) 272-3895. The examiner can normally be reached Monday thru Friday from 5:30 am to 2:00 pm and on weekends from 6:00 am to 12 noon Eastern Standard Time.

38. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew T. Caldwell, can be reached on (571) 272-3868. The fax phone number for all papers is (703) 872-9306.

39. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

ROBERT B. HARRELL
PRIMARY EXAMINER
GROUP 2142